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<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER PC2041001  U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/550104</b>
INTERNATIONAL APPLICATION NO. PCT/CA2004/000406	INTERNATIONAL FILING DATE March 19, 2004	PRIORITY DATE CLAIMED March 21, 2003
TITLE OF INVENTION Isopropanolate of Azithromycin and Method of Manufacturing		
APPLICANT(S) FOR DO/EO/US <b>Tim Fat Tam, Khashayar Karamian, Shui Sheng Hu, Anna Chow and Richard William Storey</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.  2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.  3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.  4. <input checked="" type="checkbox"/> The US has been elected (Article 31).  5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).  6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).  7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made.  8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).  Items 11 to 20 below concern document(s) or information included: 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

U.S. APPLICATION NO. <b>10/550104</b>		INTERNATIONAL APPLICATION NO. PCT/CA2004/000406		ATTORNEY'S DOCKET NUMBER PT2041001	
20. Other items or information:					
The following fees have been submitted				CALCULATIONS PTO USE ONLY	
21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300				\$ 300.00	
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c))				\$ 200.00	
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0					
All other situations..... \$200					
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b))				\$ 400.00	
If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0					
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100					
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400					
All other situations..... \$500					
TOTAL OF 21, 22 and 23 =				900.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250	\$ 0.00	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	20 - 20 =	0	x \$ 50	\$ 0.00	
Independent claims	6 - 3 =	3	x \$200	\$ 600.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$ 360.00	
TOTAL OF ABOVE CALCULATIONS =				\$ 960.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/3.					
SUBTOTAL =				\$ 1,860.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
TOTAL NATIONAL FEE =				\$ 1,860.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ 40.00	
TOTAL FEES ENCLOSED =				\$ 1,900.00	
				Amount to be refunded:	\$
				Amount to be charged	\$

10/550104

JC05 Rec'd PCT/PTO 21 SEP 2005

PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

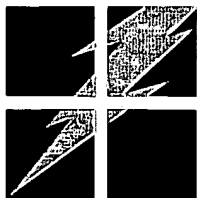
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- a. ☒ A check in the amount of \$ 1,900.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 08-3255. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Kitt Sinden  
SIGNATURE  
Kitt Sinden  
NAME  
50,188  
REGISTRATION NUMBER



**Ivor M. Hughes**

*Barrister & Solicitor*

*Patent & Trade Mark Agents  
Canada, United States*

JC03 Rec'd PCT/PTO 21 SEP 2005

PCT&

*Barristers & Solicitors*

*Ivor M. Hughes*

*Rick Tuzi*

**10/550104**

*Patent Agents*

*Neil H. Hughes, P.Eng.*

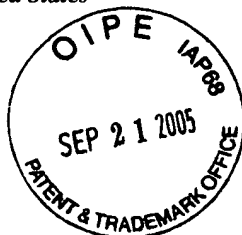
*Marcelo K. Sarkis, P.Eng.*

*Wm. Kitt Sinden*

*Samuel T. Tekie, P.Eng.*

**Our Ref: PC2041001**

**September 20, 2005**



**Via Courier**

Director  
United States Patent and Trademark Office  
Customer Service Window, Mail Stop PCT  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314  
U.S.A.

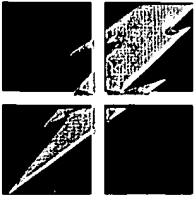
Dear Sir/Madam:

**Re: National Phase Entry in United States**  
of Tim Fat Tam, Khashayar Karimian, Shui Sheng Hu, Anna Chow  
and Richard William Storey  
for **Isopropanolate of Azithromycin and Method of**  
**Manufacturing**  
based on International PCT Application No. PCT/CA2004/000406  
International Filing Date: March 19, 2004

**Due Date: September 21, 2005**

Enclosed herewith please find the following documentation for filing with the Director in connection with the National Phase entry in the United States of PCT Application No. PCT/CA2004/000347 under 35 U.S.C. 371:

- (a) Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) concerning a submission under 35 U.S.C. 371 (Form PTO-1390) (3 sheets);
- (b) Copy of International Publication No. WO 2004/083227 A1 (22 sheets);
- (c) Declaration of the inventors (Tim Fat Tam, Khashayar Karimian, Shui Sheng Hu, Anna Chow and Richard William Storey) (2 sheets);
- (d) Notarial copy of Assignment and Recordation Form Cover Sheet, Form PTO-1595 (4 sheets);
- (e) Preliminary Amendment (9 sheets);

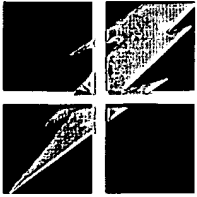


- (f) Powers of Attorney for each of Tim Fat Tam, Khashayar Karimian, Shui Sheng Hu and Anna Chow, as inventors (4 sheets); and
- (g) Power of Attorney for Bernard C. Sherman, as Chairman & C.E.O. of Apotex Inc. (1 sheet).

Enclosed with this material please find a cheque payable to the **Director of the United States Patent and Trademark Office** in the amount of **U.S. \$1,900.00**, comprising of the following:

Description	Fee
Basic filing fee	\$ 300.00
Examination fee	200.00
Search fee	400.00
0 total claims over and above the twenty allowed per application	0.00
3 independent claims over and above the three allowed per application	600.00
Multiple dependent claim fee	360.00
Size fee for each additional 50 sheets that exceeds 100 sheets	0.00
Recording an Assignment	<u>40.00</u>
<b>Total:</b>	<b><u>\$1,900.00</u></b>

If there is any deficiency or surplusage of the fees enclosed for filing this Application, please obtain any such deficiency from or credit the surplusage to Deposit Account 08-3255 and advise Applicant's Agent.



- 3 -

Also enclosed herewith is a stamped, self-addressed verification card which we request that you kindly acknowledge and return to this office at the earliest opportunity. We thank the Director for his cooperation in this regard and look forward to receiving filing data in this matter.

Respectfully submitted,

Handwritten signature of Kitt Sinden.

Kitt Sinden  
Registration No. 50,188  
Agent for Applicant

/jf  
Enclosures